

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X Case No: 08-70951

In re:

AMENDED CHAPTER 13 PLAN

ADAM DIERS AND
ANA DIERS,

Debtor(s).

-----X

1. The future earnings of the debtors are submitted to the supervision and control of the trustee and the debtors shall pay to the trustee for a total period of sixty (60) months, the sum of:

\$750.00 commencing June, 2008 through and including August, 2008;
\$840.00 commencing September, 2008 through and including May, 2013, the last month of the plan.

2. From the payments so received, the trustee shall make disbursements as follows:

(a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. Section 507 including Adam C. Gomerman, Esq. in the amount of \$2,500.00.

(b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

ALL POST-PETITION PAYMENTS, INCLUDING BUT NOT LIMITED TO, MORTGAGE PAYMENTS, VEHICLE PAYMENTS, REAL ESTATE TAXES AND INCOME TAXES, TO BE MADE OUTSIDE THE PLAN BY THE DEBTOR. ALL PRE-PETITION PAYMENTS TO CAPITAL ONE AUTO FINANCE, CHASE AUTO, M&T BANK, WELLS FARGO HOME MORTGAGE AND HOMECOMINGS ARE CURRENT AS OF THE DATE OF FILING. THE PROPERTY LOCATED AT 87 LAURELTON DRIVE, MASTIC BEACH IS TO BE SURRENDERED IN FULL SATISFICATION OF THE MORTGAGES OWED TO COUNTRYWIDE HOME LOANS, BEARING LOAN #085740223, AND TEACHER'S FEDERAL CREDIT UNION, BEARING LOAN #178906210. COUNTRYWIDE HOME LOANS AND TEACHER'S FEDERAL CREDIT UNION RESERVE THE RIGHT TO FILE UNSECURED PROOFS OF CLAIM FOLLOWING FORECLOSURE.

Each secured creditor (ie., mortgage, vehicle or other secured) as listed in the debtor's schedules will be paid through this plan as follows:

Wells Fargo Bank, NA, bearing loan #0189256373, to be paid pre-petition arrears in the sum of \$4,973.14 over the life of the plan.

(c) Subsequent to distribution to secured creditors, dividends to unsecured creditors whose claims are duly allowed as follows:

Pro rata distribution to all timely filed proofs of claim of not less than 100%.

3. All lease agreements are hereby assumed, unless specifically rejected as follows: None.

Title to the debtor's property shall revert in the debtor upon completion of the plan, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the debtor(s) will not incur post-petition debt over \$1,500.00 without prior written consent of the Chapter 13 trustee or the court.

Dated: July 8, 2008

/s Adam Diers

ADAM DIERS

/s Adam C. Gomerman

Attorney For Debtors

/s Ana Diers

ANA DIERS

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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ADAM DIERS AND
ANA DIERS,

Debtor(s). **AFFIDAVIT OF SERVICE**

-----X

Margaret Murphy, being duly sworn, deposes and says:

1. I am not a party to this action, I am over eighteen years of age and reside in East Northport, New York.
2. On July 16, 2008, I served an Amended Chapter 13 Plan dated July 8, 2008 by depositing a true copy, thereof, enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to:

Wells Fargo Bank, NA
3476 Stateview Blvd, MAC X7801-014
Fort Mill, SC 29715-7200

Steven J. Baum, PC
900 Merchant's Concourse
Suite 412
Westbury, NY 11590

Countrywide Home Loans
P.O. Box 660694
Dallas, TX 75266-0694

Homecomings Financial
P.O. Box 9001719
Louisville, KY 40290

Teacher's Federal Credit Union
2410 N. Ocean Avenue
Farmingville, NY 11738

Wells Fargo Home Mortgage
1 Home Campus
Des Moines, IA 50328

Ascension Capital Group, Inc.

Attn: North Fork Bank(serviced by Capital One
Auto Finance) Department
Account: 8568895
P.O. Box 201347
Arlington, TX 76006

American Express Centurion Bank
c/o Becket and Lee LLP
P.O. Box 3001
Malvern, PA 19355-0701

Household Bank (SB), NA
Bass & Associates, PC
3936 E. Ft. Lowell Road, Suite #200
Tucson, AZ 85712

North Fork Bank serviced by
Capital One Auto Finance
P.O. Box 201347
Arlington, TX 76006

Dated: Huntington Station, New York
July 16, 2008

/s Margaret Murphy

Margaret Murphy

Sworn to before me this
16th day of July, 2008

/s Adam C. Gomerman

Notary Public